

### REMARKS

Applicants thank the Examiner for the thorough consideration given the present application.

Claims 1-2 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the remarks as set forth below.

### Entry of Response

Since the present Response cancels all of the non-allowed claims, Applicants submit that the application is *prima facie* in condition for allowance so that entry of the response and full consideration by the Examiner is appropriate.

### Allowable Subject Matter

It is gratefully acknowledged that the Examiner considers the subject matter of claims 1 and 2 as being allowable.

### Claim for Priority

As noted in the previous response, the Examiner has not yet recognized Applicant's claim for foreign priority. It is also noted that the acknowledgement of the claim for domestic priority has not been accomplished. The Examiner has now indicated that Applicant has not complied with the condition for receiving the earlier filing date and in particular, a specific reference to the prior application in

the first sentence of the specification. The Examiner's attention is directed to the filing on February 28, 2002. In addition to the Specification and Claims, the Declaration, the filing fee, Information Disclosure Statement, Claim for Priority and Assignment, Applicants submitted a four-page transmittal letter. On page 2 of this letter, under Section 5, the Amendment of the Specification is directed for the first line to include a reference to the parent application and also the claim for foreign priority. Thus, Applicants submit that the Examiner is incorrect in stating that this condition has not been met. Since the sentence is included in the Specification and since Applicants have included a copy of the Request for Priority in the parent application and since the Declaration indicates that priority is claimed to the two Japanese applications, Applicants submit that the benefit of the earlier filing date should be accorded. The Examiner is requested to recognize the claim for foreign priority and to note that parentage of U.S. Application No. 09/392,240.

#### Election of Species

The Examiner notes that the election of species with traverse remains. As noted in the original election, both claims relate to the elected species and accordingly no further action is necessary.

Rejection under 35 U.S.C. § 102

Claims 3 and 4 stand rejected under 35 U.S.C. § 102 as being anticipated by Webb et al. (U.S. Patent 6,443,622). This rejection is respectfully traversed. Since claims 3 and 4 have been cancelled, this rejection is rendered moot.

Conclusion

In view of the above, it is believed that the application is in condition for allowance. In view of this, reconsideration of the rejection and allowance of the claims is respectfully requested.

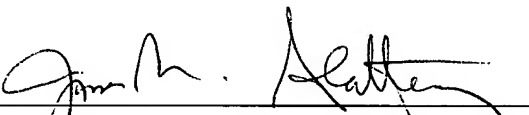
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert F. Gnuse (Reg. No. 27,295) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Response to October 7, 2004 Office Action  
Appl. No. 10/084,187  
Docket No. 0369-0208P  
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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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